

EXHIBIT 6

CLARK COUNTY SHERIFF'S OFFICE, WASHINGTON
UTILITY REPORT

CASE #84-8506

SUPPLEMENTAL RPT

STATUTORY RAPE, 1ST DEGREE, RCW 9A.44.070

LOCATION OF INCIDENT: 17681 NE Lucia Falls Road, Yacolt, Wa.

DATE OF INCIDENT: Between 07-14-84 and 08-26-84

DATE & TIME: 10-17-84 2020 hours

LOCATION: 6340 Shady Springs
Citrus Heights, California

INCIDENT: Witness Interview

PERSON INTERVIEWED: DAY, Phyllis Ann dob: 08-27-32
6340 Shady Springs
Citrus Heights, California phone: (916) 723-9502

VICTIM: SPENCER, Kathryn E. dob: 01-13-79
3930 Becerra Way
Sacramento, California phone: (916) 482-6057

SUSPECT: SPENCER, Clyde Ray dob: 01-09-48
aka: Ray SPENCER
17681 NE Lucia Falls Road home phone: 687-1407
Yacolt, Washington work phone: 696-8292

SUMMARY:

Phyllis DAY is the grandmother of Katie and Matt SPENCER. Mrs. DAY is the natural mother of Deanne SPENCER, Katie's mother. On

the evening of the 17th I met with Mrs. DAY at her residence regarding any information she may have reference the allegations Katie SPENCER was making regarding her (Katie) being sexually involved with her father, Ray SPENCER. Phyllis DAY advised that Katie had never made any statements around her reference the allegations of sexual abuse.

I talked with Mrs. DAY regarding any observations she may have made reference Katie's behavior. Phyllis DAY advised, "Katie really didn't want to go up there to visit her father this summer." (1984) I asked her if she could be more specific about that and she advised that Katie "just didn't want to go." She also related that she had several conversations with her daughter, Deanne, regarding Katie not wanting to go. Phyllis DAY indicated that "Deanne told Katie that she had to go up there and if she didn't want to she was going to have to discuss that with her father, because she (Deanne) did not have any control over that."

Phyllis DAY also advised that during the summer of 1982 Katie and Matt spent nine weeks with their father in Vancouver. Mrs. DAY advised that the summer of 1983 Katie didn't want to go to her father's and both she and Deanne felt it was probably because Katie had spent nine weeks there the year before and maybe that was too long for her, because she was so little.

Mrs. DAY related that in April of 1984 Ray SPENCER took Matt and Katie to Los Angeles to a wedding. She related when it came time for the children to visit their father during the summer of 1984, Ray SPENCER was "making a big thing out of the kids driving up there, indicating that they didn't like to drive and that they didn't do well in the car, specifically mentioning that Matt would be sick." Mrs. DAY advised that Ray wanted the children to fly to Vancouver and not drive. Mrs. DAY related that both Katie and Matt were real uncomfortable with the idea of flying, and initially thought that their father was going to fly down and fly back with them. Mrs. DAY stated, "Katie said no way am I going on a plane by myself, and that was all there was to it." She advised that finally Deanne decided she would drive the children to Vancouver and Mrs. DAY accompanied her so Deanne would not be alone. Mrs. DAY stated to me, "The kids were fine. They did not get sick and we

had a lovely trip on the way up." She then stated, "That's Ray, though, he always just has to cause trouble some way."

Mrs. DAY related that during the time Ray and Deanne SPENCER were married "he had total control over Deanne." Mrs. DAY also related that she saw Ray SPENCER as a "very arrogant and domineering personality." She advised that Ray SPENCER was gone away from home a lot during the entire marriage and always used "cop stuff as an excuse." She also related that she can recall many times when Ray would make excuses not to take Deanne with him, and specifically mentioned Ray attending a wedding of a best friend. Mrs. DAY stated, "He had Deanne totally convinced that she had no business being in that wedding, that she was only going to be in the way."

I asked Mrs. DAY what her observation was regarding Ray SPENCER and when he was around his children. She stated, "Ray was not a loving, caring, doting father." She advised that "Ray never really paid any attention to the kids and he was constantly screaming at Matthew."

During the time I talked to Mrs. DAY she also mentioned the way that "Ray had Deanne dress when they were married." She also stated, "But, you have to understand that kind of relationship. He just had total control over her and even when he did something he wasn't supposed to, he turned things around until Deanne felt like it was her fault and apologized."

Mrs. DAY indicated that she really did not know a lot about Ray SPENCER'S background, other than the fact that Ray's mother apparently died when he was approximately seventeen years old, and from that time Ray was "pretty much on his own." She related that Ray lived with a best friend named Ernie GARCIA after the death of his mother, and Mrs. GARCIA was really a mother to Ray.

During the remainder of the conversation with Mrs. DAY, she did not have any specific information regarding Katie and the issue at hand.

Investigation to continue.

EXHIBIT 7

The Honorable Benjamin Settle

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

CLYDE RAY SPENCER, MATTHEW RAY
SPENCER, and KATHRYN E. TETZ,

Plaintiffs,

v.

FORMER DEPUTY PROSECUTING
ATTORNEY FOR CLARK COUNTY JAMES
M. PETERS, DETECTIVE SHARON
KRAUSE, SERGEANT MICHAEL
DAVIDSON, CLERK COUNTY
PROSECUTOR'S OFFICE, CLARK COUNTY
SHERIFF'S OFFICE, THE COUNTY OF
CLARK AND JOHN DOES ONE THROUGH
TEN,

Defendants.

No. 3:11-CV-05424 BHS

PLAINTIFFS' INITIAL
DISCLOSURES PURSUANT TO
FED. R. CIV. P. 26(a)(1)

PLAINTIFF CLYDE RAY SPENCER, et al., by and through their attorneys, Kathleen T.
Zellner & Associates, P.C. and Davis Wright Tremaine LLP, make the following disclosures
pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure:

Initial Disclosures

FRCP 26(a)(1)(A)(i)

The name and, if known, the address and telephone number of each individual likely to
have discoverable information that the disclosing party may use to support its claims or defenses,

PLAINTIFFS' INITIAL DISCLOSURES – 1

(No. 3:11-cv-05424 BHS)

DWT 18271346v2 0094078-000001

Davis Wright Tremaine LLP
LAW OFFICES
Suite 2200 • 1201 Third Avenue
Seattle, Washington 98101-3045
(206) 622-3150 • Fax: (206) 757-7700

1 unless solely for impeachment, identifying subjects of the information:

2 1. **CLYDE RAY SPENCER**
3 (Plaintiff)

4 Dr. Spencer will testify in support of the allegations made in the Complaint, including but
5 not limited to his life prior to his arrest, the circumstances surrounding his arrest, the
6 circumstances surrounding his prosecution and imprisonment, his life in prison, and his life after
7 his release. He will testify to all aspects relating to liability and his damages.

8 2. **NORMA SPENCER**
9 1545 N. Laurel Ave #201
Los Angeles, CA 90046

10 Ms. Spencer will testify to the circumstances of her initial contact with Dr. Spencer, their
11 relationship at that time, the subsequent contact made by Dr. Spencer, and her relationship with
12 Dr. Spencer after that contact. She will testify to all aspects of her visits to Dr. Spencer while he
13 was incarcerated and their relationship throughout that time period. She will testify to her life
14 with Dr. Spencer after his release and her observation of his damages.

15 3. **MATTHEW RAY SPENCER**
16 (Plaintiff)

17 Matthew Spencer will testify regarding his childhood life with Dr. Spencer, the
18 circumstances surrounding law enforcements' interviews of him, the investigation of Dr. Spencer
19 and his involvement in the investigation, his life while Dr. Spencer was incarcerated, his
20 relationship with Dr. Spencer since his release and his observation of Dr. Spencer's damages.
21 Matthew will also testify as to all aspects of his own damages.

22 4. **KATHRYN E. TETZ**
23 (Plaintiff)

24 Kathryn Tetz will testify regarding her childhood life with Dr. Spencer, the circumstances
25 surrounding law enforcement interviews of her, the investigation of Dr. Spencer and her
26 involvement in the investigation, her life while Dr. Spencer was incarcerated, her relationship
27

1 with Dr. Spencer since his release and her observation of Dr. Spencer's damages. Kathryn will
2 also testify as to all aspects of her own damages.

3 5. **ART CURTIS**

4 Art Curtis will be expected to testify to all aspects of the investigation, arrest, prosecution
5 and imprisonment of Dr. Spencer, including all post-conviction activities.

6 6. **JAMES PETERS**
7 800 E. Park Boulevard, Suite 600
8 Boise, Idaho 83712

9 James Peters will be expected to testify to all aspects of the investigation, his interviews,
the arrest, prosecution and imprisonment of Dr. Spencer, including all post-conviction activities.

10 7. **SHARON KRAUSE**
11 2185 E. Emerald River Court
12 Fort Mohave, AZ 86426

13 Sharon Krause will be expected to testify to all aspects of the investigation of Dr. Spencer,
14 her interviews of Matthew Spencer and Kathryn Tetz, the arrest of Dr. Spencer, the prosecution of
15 Dr. Spencer, the imprisonment of Dr. Spencer and all post-conviction activities up to, through,
and after the release of Dr. Spencer.

16 8. **MICHAEL DAVIDSON**
17 6949 SE Mark Road
18 Prineville, OR 97754

19 Michael Davidson will be expected to testify to all aspects of the investigation of Dr.
20 Spencer, his interviews of Matthew Spencer and Kathryn Tetz, the arrest of Dr. Spencer, the
21 prosecution of Dr. Spencer, the imprisonment of Dr. Spencer, all post-conviction activities up to,
through, and after the release of Dr. Spencer, and his relationship with Shirley Spencer.

22 9. **HONORABLE JAMES RULLI**
23 1200 Franklin St
24 Vancouver, WA 98660

25 The Honorable James Rulli is expected to testify to all aspects of his representation of Dr.
26 Spencer and his knowledge and observations of all events involving the case to the present.

1 10. **SHIRLEY SPENCER**
2 18102 NE Cole Witter Rd.
3 Battle Ground, WA 98604

4 Shirley Spencer will be expected to testify to all aspects of her relationship to Dr. Spencer
5 before, during and after his arrest and imprisonment, her involvement in the investigation,
6 prosecution and imprisonment of Dr. Spencer and the interviews of Matthew Spencer and
7 Kathryn Tetz, and her relationship with Michael Davidson. She is also expected to testify as to
8 her knowledge of, and involvement in, the case until the present.

9 11. **MATT HANSON**
10 17313 E. View Lane
11 Yelm, WA 98597

12 Matt Hanson will be expected to testify to all aspects of his relationship to Dr. Spencer
13 before, during and after his arrest and imprisonment, his involvement in the investigation, his
14 interactions with law enforcement and his knowledge of, and observations of, his mother's
15 involvement in the case.

16 12. **DETECTIVE FLOOD**
17 Sacramento Police Department
18 Sacramento, California

19 Detective Flood will be expected to testify to his investigation, all aspects of his
20 interviews with Kathryn Tetz and Matthew Spencer, and his knowledge of the case.

21 13. **REBECCA ROE**
22 810 Third Avenue, Suite 500
23 Seattle, Washington 98104

24 Rebecca Roe is expected to testify that she is an expert in sex crimes investigations, and
25 she is expected to testify regarding her report on the investigation into Dr. Spencer dated
26 November 27, 1984 and all aspects of her involvement in the case.

27 14. **DR. KATHRYN MAGEE**
 University of California Davis Medical Center

 Dr. Magee is expected to testify regarding her medical evaluation of Kathryn Tetz that
took place on August 30, 1984, and any and all knowledge she has about the case.

1 15. **DR. STANLEY ABRAMS**

2 Dr. Abrams is expected to testify regarding his polygraph examination of Dr. Spencer and
3 any and all knowledge he has about the case.

4 16. **LINDA DAVIDSON**

5 Linda Davidson will be expected to testify to all aspects of her relationship with Michael
6 Davidson, including the nature of Michael Davidson's affair with Shirley Spencer, her divorce
7 from Michael Davidson and any and all knowledge she has about the case.

8 17. **JUDGE THOMAS LODGE**

9 Judge Lodge is expected to testify to all aspects of Dr. Spencer's case, including but not
10 limited to his prior knowledge of Dr. Spencer, his observations of Dr. Spencer in court and at the
11 entry of Dr. Spencer's plea.

12 18. **DR. MANUEL GALAVIZ**

13 14406 NE 20th Ave
14 Vancouver, WA 98686

15 Dr. Galaviz is expected to testify regarding his medical evaluation of Matt Hanson that
16 took place on March 6, 1985 and any and all knowledge he has about the case.

17 19. **DR. HENRY DIXON**

18 Portland, Oregon

19 Dr. Dixon is expected to testify regarding his examination of Dr. Spencer, which included
20 the administration of sodium amytal, or truth serum.

21 20. **CAL COAST UNIVERSITY REPRESENTATIVE**

22 925 N. Spurgeon Street
23 Santa Ana, CA 92701

24 A representative of California Coast University is expected to testify to all aspects of the
25 University's contact with Dr. Spencer as he sought his doctoral degree.

26 21. **VIDEOTAPE CAMERA OPERATOR OF INTERVIEW OF KATHRYN**

27 The individual that operated the videotape camera that captured the interview of
"Kathryn" Spencer is expected to testify to all aspects of that procedure and as to whether

1 additional portions of the investigation and case were captured on videotape.

2 22. **GOVERNOR LOCKE**

3 Governor Locke is expected to testify to all aspects of his consideration of the case
4 presented to him that led to the conditional commutation of Dr. Spencer's sentence.

5 23. **PETER A. CAMIEL**

6 710 Cherry Street
7 Seattle, WA 98104

8 Peter Camiel will be expected to testify to all aspects of his representation of Dr. Spencer
9 and his knowledge of the case at all stages of the criminal process.

10 24. **MICHAEL C. KINNIE**

11 1200 Franklin Street
12 P.O. Box 5000
13 Vancouver, WA 98666

14 Michael Kinnie will be expected to testify to all aspects of his involvement in the
15 continued post-conviction prosecution of Dr. Spencer, and his activities with regard to the case
16 since Dr. Spencer's release.

17 25. **DENNIS HUNTER**

18 1013 Franklin Street
19 Vancouver, WA 98660

20 Dennis Hunter is expected to testify to all aspects of his involvement in the continued
21 post-conviction prosecution of Dr. Spencer, and his activities with regard to the case since Dr.
22 Spencer's release.

23 26. **TIM HAMMOND**

24 1013 Franklin Street
25 Vancouver, WA 98660

26 Tim Hammond is expected to testify to all aspects of his involvement in the continued
27 post-conviction prosecution of Dr. Spencer, his activities with regard to the case since Dr.
28 Spencer's release and his knowledge of all aspects of the case.

29 27. **LELAND S. DAVIS**

30 605 E. Evergreen
31 Vancouver, Washington 98661

1 Leland Davis is expected to testify to all aspects of his involvement in the continued post-
2 conviction prosecution of Dr. Spencer, and his activities with regard to the case since Dr.
3 Spencer's release.

4 28. **CAPTAIN R. KING**
5 605 E. Evergreen
6 Vancouver, Washington 98661

7 R. King is expected to testify to all aspects of the investigation, arrest, prosecution and
8 imprisonment of Dr. Spencer.

9 29. **KIMBERLY ROBERT FARR**
10 1701 Broadway Street #270
11 Vancouver, WA 98663

12 Kimberly Robert Farr is expected to testify to all aspects of his involvement in the
13 continued post-conviction prosecution of Dr. Spencer, and his activities with regard to the case
14 since Dr. Spencer's release.

15 30. **MIKE KANDOLL**

16 Mike Kandoll will be expected to testify to all aspects of the investigation and case of Dr.
17 Spencer, stemming from his position as a police officer for the Vancouver Police Department.

18 31. **AL LARSON**

19 Al Larson is expected to testify to all aspects of the investigation and case of Dr. Spencer,
20 stemming from his position as a police officer for the Vancouver Police Department.

21 32. **JOAN WILSON**
22 3409 NW 120th St
23 Vancouver, WA 98685

24 Joan Wilson will be expected to testify regarding her knowledge of the investigation, her
25 friendship to Dr. Spencer and her visits to him while in jail.

26 33. **LEO AND LOIS CLARK**
27 25413 NE 13th St
Camas, WA 98607

EXHIBIT 8

RECEIVED

NOV 15 2011

FREIMUND JACKSON TARDIF
& BENEDICT GARRATT

The Honorable Benjamin Settle

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

CLYDE RAY SPENCER, MATTHEW
RAY SPENCER, and KATHRYN E.
TETZ,

Plaintiffs,

v.

FORMER DEPUTY PROSECUTING
ATTORNEY FOR CLARK COUNTY
JAMES M. PETERS, DETECTIVE
SHARON KRAUSE, SERGEANT
MICHAEL DAVIDSON, CLARK
COUNTY PROSECUTOR'S OFFICE,
CLARK COUNTY SHERIFF'S
OFFICE, THE COUNTY OF CLARK
and JOHN DOES ONE THROUGH
TEN,

Defendants.

NO. C11-5424BHS

INITIAL DISCLOSURES BY
DEFENDANT JAMES M. PETERS

COMES NOW Defendant James M. Peters, by and through his attorneys of record, Robert M. McKenna, Attorney General, Patricia C. Fetterly, and Daniel J. Judge, Assistant Attorneys General, and pursuant to Fed. R. Civ. P. 26(a)(1) hereby make the following initial disclosures. In doing so, defendant Peters reserves his objections to initial disclosures based upon his immunity defense asserted in this matter. Without waiving objections, defendant Peters proceeds with his disclosures as follows:

A. The following individuals are likely to have discoverable information that may be used to support the claims or defenses of Defendant James M. Peters. The subject of the

INITIAL DISCLOSURES BY
DEFENDANT JAMES M. PETERS
NO. C11-5424BHS

1

ATTORNEY GENERAL OF WASHINGTON
Torts Division
7141 Cleanwater Drive SW
P.O. Box 40126
Olympia, WA 98504-0126
(360) 586-6300

1 witnesses' testimony and their last known address and phone number are set forth in the
2 documents disclosed below, unless otherwise indicated.

3 1. **James M. Peters.** Mr. Peters is expected to testify concerning the prosecution of
4 Clyde Ray Spencer in 1984 and 1985. Mr. Peters' current address is 800 E. Park Boulevard, Suite
5 600, Boise, Idaho 83712.

6 2. **Clyde Ray Spencer.** Mr. Spencer is a plaintiff in this action. He is expected to
7 testify to matters concerning liability and damages. His present address is unknown to defendant
8 Peters.

9 3. **Matthew Ray Spencer.** Mr. Spencer is a plaintiff in this action. He is expected
10 to testify to matters concerning liability and damages. His present address is unknown to
11 defendant Peters.

12 4. **Kathryn E. Tetz.** Ms. Tetz is a plaintiff in this action. She is expected to testify
13 to matters concerning liability and damages. Her present address is unknown to defendant Peters.

14 5. **Shirley Spencer.** Ms. Spencer is the second wife of plaintiff Clyde Ray Spencer
15 and was married to him at relevant times when he was the subject of an investigation and
16 prosecution by law enforcement for sexually abusing his children and step-son in 1984-1985. Ms.
17 Spencer also was the recipient of the initial allegations of abuse made by Kathryn Spencer, now
18 Kathryn Tetz. She will testify to matters related to liability, including the date that her personal
19 relationship began with defendant Michael Davidson. Her last known address is 18102 NE Cole
20 Witter Rd., Battle Ground, Washington 98604.

21 6. **Sharon Krause.** Ms. Krause was employed at relevant times as a Clark County
22 Sheriff's Deputy. She will testify to matters concerning her investigation of allegations that
23 plaintiff Clyde Ray Spencer sexually abused his two children and step-son. Her last known
24 address is 2185 E. Emerald River Court, Fort Mohave, Arizona 86426.

1 7. **Michael Davidson.** Mr. Davidson was employed at relevant times as a Clark
2 County Sheriff's Deputy. He is expected to testify concerning his involvement in the
3 investigation of plaintiff Clyde Ray Spencer and his relationship with Shirley Spencer. His last
4 known address is 6949 SE Mark Rd., Prineville, Oregon 97754.

5 8. **Matthew Alan Charles Hanson.** At relevant times in 1984 and 1985 Mr. Hanson
6 was the step-son of plaintiff Clyde Ray Spencer. He is expected to testify that he was sexually
7 abused by his step-father and other matters related to the investigation of plaintiff Clyde Ray
8 Spencer. His present address is 17313 E. View Lane, Yelm, Washington 98597.

9 9. **DeAnne Spencer.** Ms. Spencer was the first wife of plaintiff Clyde Ray Spencer
10 and the mother of the other two plaintiffs. She is expected to testify to matters relating to the
11 investigation of plaintiff Clyde Ray Spencer and other matters related to liability. Her last known
12 address is 3930 Becerra Way, Sacramento, California.

13 10. **Phyllis Day.** Ms. Day is the mother of DeAnne Spencer and the maternal
14 grandmother of plaintiffs Matthew Ray Spencer and Kathryn E. Tetz. She is expected to testify to
15 matters relating to the investigation of plaintiff Clyde Ray Spencer and other matters related to
16 liability. Her last known address is 6340 Shady Spring, Citrus Heights, California

17 11. **Linda Lawrence.** Ms. Lawrence is the sister of DeAnne Spencer and the aunt of
18 plaintiffs Matthew Ray Spencer and Kathryn E. Tetz. She is expected to testify to matters relating
19 to the investigation of plaintiff Clyde Ray Spencer and other matters related to liability. Her last
20 known address is 1165 Hampton Road, Sacramento, California 95825.

21 12. **Kathryn Roe.** Ms. Roe is the sister of DeAnne Spencer and the aunt of Matthew
22 Ray Spencer and Kathryn E. Tetz. She is expected to testify to matters related to the
23 investigation of Clyde Ray Spencer and other matters related to liability. Her last known address
24 is 6340 Shady Springs, Sacramento, California.

1 13. **Patrick Flood.** At relevant times in 1984 Mr. Flood was a detective employed by
2 the Sacramento County Sheriff's Department. He will testify to matters related to the
3 investigation of plaintiff Clyde Ray Spencer and other matters related to liability. His last known
4 address is 711 "G" Street, Sacramento, California 95814.

5 14. **Rich Madrigal.** At relevant times in 1984 Mr. Madrigal was employed by the
6 Sacramento County Sheriff's Department. He is expected to testify to matters concerning the
7 investigation of Clyde Ray Spencer. His last known address is 711 "G" Street, Sacramento,
8 California 95814.

9 15. **Marguerite Matusak.** In 1984 Ms. Matusak was employed by the Washington
10 State Department of Social and Health Services as a Child Protective Services caseworker. Ms.
11 Matusak will testify concerning the investigation of allegations of suspected sexual abuse of
12 plaintiffs Mathew Ray Spencer and Kathryn E. Tentz. Ms. Matusak resides in Vancouver,
13 Washington.

14 16. **R. Stephenson.** In 1984 Mr. Stephenson was employed as a patrol officer for the
15 Clark County Sheriff's Department. He will testify concerning his call to the home of Clyde Ray
16 Spencer and Shirley Spencer on August 30, 1984. Mr. Stephenson's last known address is 1200
17 Franklin Street, Vancouver, Washington.

18 17. **Ann Link Ph.D.** Dr. Link is a family therapist who provided therapy in
19 Sacramento, California to Matthew Ray Spencer and Kathryn E. Tentz in 1984, 1985 and possibly
20 thereafter. She is expected to testify to matters related to liability and damages. Her address is
21 5801 North Avenue, Carmichael, California.

22 18. **Cornelia Nickl Ph.D.** Dr. Nickl is a family therapist who provided therapy in
23 Sacramento, California to Matthew Ray Spencer and Kathryn E. Tentz in 1984, 1985 and possibly
24 thereafter. She is expected to testify to matters related to liability and damages. Her present
25 address is not known at this time.
26

1 19. **Stanley Abrams Ph.D.** Dr. Adams is a clinical psychologist who administered
2 polygraph examinations to Clyde Ray Spencer in 1984. He is expected to testify consistent with
3 his written reports concerning these examinations. His last known address is 2222 N.W. Lovejoy
4 Suite 401, Portland, Oregon 97210.

5 20. **Karen Stone.** Ms. Stone at relevant times was romantically involved with
6 plaintiff Clyde Ray Spencer. She is expected to testify to matters related to the investigation of
7 Clyde Ray Spencer in 1984 and 1985. Her last known address is 8811 NE 80th Street,
8 Vancouver, Washington.

9 21. **Arthur Curtis.** At relevant times in 1984 and 1985 Mr. Curtis was the
10 Prosecuting Attorney for Clark County. He is expected to testify to matters related to the decision
11 to prosecute Clyde Ray Spencer made in 1984 and 1985 as well as other matters related to the
12 prosecution of Mr. Spencer and responses made to his proceedings for post conviction relief. His
13 last known address is 1013 Franklin Street, Vancouver, Washington 98660.

14 22. **Rebecca Roe.** In 1984 Rebecca Roe was employed as a Deputy Prosecuting
15 Attorney for King County, Washington and supervised the special assault unit of that office. She
16 is expected to testify to matters concerning her review of reports concerning the investigation of
17 Clyde Ray Spencer in November of 1984 and other matters concerning the prosecution of Mr.
18 Spencer. Her present address is 810 Third Avenue, Suite 500, Seattle, Washington 98104.

19 23. **Rex Woodward.** In 1984 and 1985 Mr. Woodward was a lieutenant with the
20 Vancouver Washington Police Department. He will testify concerning the internal affairs
21 investigation of plaintiff Clyde Ray Spencer conducted by the Vancouver Police Department in
22 September through December of 1984 which led to the termination of Mr. Spencer's employment
23 by the Vancouver Police Department in January of 1985. His last known address is 300 East 13th
24 Street, Vancouver, Washington 98661.
25
26

1 24. **Jim Hulse.** In 1984 and 1985 Mr. Hulse was a corporal with the Vancouver
2 Washington Police Department. He will testify concerning the internal affairs investigation of
3 plaintiff Clyde Ray Spencer conducted by the Vancouver Police Department in September
4 through December of 1984 which led to the termination of Mr. Spencer's employment by the
5 Vancouver Police Department in January of 1985. His last known address is 300 East 13th Street,
6 Vancouver, Washington.

7 25. **R. King.** In 1984 and 1985 Mr. King was a captain with the Vancouver
8 Washington Police Department. He will testify concerning the internal affairs investigation of
9 plaintiff Clyde Ray Spencer that took place between September and December of 1984.
10 Mr. King's last known address is 300 East 13th Street, Vancouver, Washington.

11 26. **Leland S. Davis.** In 1984 and 1985 Mr. Davis was the Chief of the Vancouver
12 Washington Police Department. He will testify concerning the internal affairs investigation
13 conducted in regard to plaintiff Clyde Ray Spencer that took place between September and
14 December of 1984 which led to his termination by the Vancouver Police Department. Mr.
15 Davis's last known address is 300 East 13th Street, Vancouver, Washington.

16 27. **R. Anderson.** In 1984 and 1985 Mr. Anderson was a captain in the Vancouver
17 Washington Police Department. He will testify concerning the internal affairs investigation
18 conducted in regard to plaintiff Clyde Ray Spencer that took place between September and
19 December of 1984. Mr. Anderson's last known address is 300 East 13th Street, Vancouver,
20 Washington 98661.

21 28. **Frank Kanekoa.** In 1984 and 1985 Mr. Kanekoa was the Sheriff of Clark
22 County, Washington. He will testify concerning the investigation of Clyde Ray Spencer by the
23 Clark County Sheriff's Department and concerning the internal affairs investigation conducted by
24 the Vancouver Police Department in 1984 and 1985. Mr. Kanekoa's last known address is 1200
25 Franklin Street, Vancouver, Washington.

1 29. **Danne Johnson.** In 1984 and 1985 Mr. Johnson was a sergeant with the
2 Vancouver Police Department. He will testify concerning the internal affairs investigation
3 conducted between September and December 1984 concerning Clyde Ray Spencer. Mr.
4 Johnson's last known address is 300 East 13th Street, Vancouver, Washington.

5 30. **David Marosi.** In 1984 and 1985 Mr. Marosi was a sergeant with the Vancouver
6 Police Department. He will testify concerning the internal affairs investigation conducted
7 between September and December 1984 concerning Clyde Ray Spencer. Mr. Marosi's last
8 known address is 300 East 13th Street, Vancouver, Washington.

9 31. **Carol Arden.** In 1984 and 1985 Ms. Arden was employed in the People
10 Assistance Team Office of the Vancouver Police Department. She will testify concerning the
11 internal affairs investigation conducted by the Vancouver Police Department concerning Clyde
12 Ray Spencer conducted between September and December 1984. Ms. Arden's last known
13 address is 300 East 13th Street, Vancouver, Washington.

14 32. **Rhonda Short.** Ms. Short was a neighbor of Clyde Ray Spencer prior to his
15 employment by the Vancouver Police Department. She will testify that she was sexually
16 assaulted by Mr. Spencer when she was a high school student prior to his employment by the
17 Vancouver Police Department. Ms. Short will testify to matters relating to the internal affairs
18 investigation conducted by the Vancouver Police Department between September and December
19 of 1984. Ms. Short's last known address is 1813 Chanticleer Drive, Anaheim, California.

20 33. **Nancy Steigman.** Ms. Steigman will testify concerning sexual misconduct
21 committed by Clyde Ray Spencer while he was working undercover as a Vancouver Police
22 officer prior to his termination by the police department. Ms. Steigman will also testify to matters
23 related to the internal affairs investigation conducted by the Vancouver Police Department
24 between September and December of 1984. Ms. Steigman's last known address is 7613 NE 110th
25 Street, Vancouver, Washington.
26

1 34. **Paul Grattet.** Mr. Grattet was the City Manager for the City of Vancouver
2 Washington in January of 1985. On January 8, 1985 he, along with Chief of Police Leland S.
3 Davis, signed the notice of dismissal which terminated the employment of Clyde Ray Spencer.
4 On January 15, 1985 Mr. Grattet signed the bill of particulars which outlined the reasons for the
5 termination of Mr. Spencer by the Vancouver Police Department. Mr. Grattet's last known
6 address is 415 West Sixth Street, Vancouver, Washington.

7 35. **Don Kerr.** In 1985 Mr. Kerr was employed as a patrol officer for the Clark
8 County Sheriff's Department. He will testify concerning his response to a domestic violence call
9 to the home of Clyde Ray Spencer and Shirley Spencer on February 3, 1985. Mr. Kerr's last
10 known address is 1200 Franklin Street, Vancouver, Washington.

11 36. **Gary Lentz.** In 1985 Mr. Lentz was employed as a patrol officer for the Clark
12 County Sheriff's Department. He will testify concerning his arrest of Clyde Ray Spencer on
13 February 28, 1985. Mr. Lentz's last known address is 1200 Franklin Street, Vancouver,
14 Washington.

15 37. **Barbara Linde.** In 1984 and 1985 Ms. Linde was employed as a deputy
16 prosecuting attorney for King County, Washington. She will testify concerning the ongoing
17 involvement of the King County Prosecuting Attorney's Office in the prosecution of Clyde Ray
18 Spencer in 1985. Ms. Linde's last known address is 516 Third Avenue, Room W1034, Seattle,
19 Washington 98104.

20 38. **James Rulli.** Mr. Rulli is presently a Superior Court Judge for Clark County. In
21 1985 he was an attorney in private practice. He will testify concerning his representation of Clyde
22 Ray Spencer in 1985. Mr. Rulli's address is 1200 Franklin Street, Vancouver, Washington.

23 39. **Kevin McGovern Ph.D.** Dr. McGovern is a psychologist. He will testify
24 concerning his evaluation of Clyde Ray Spencer prior to his entry of his plea of guilty in May of
25 1985. Dr. McGovern's address is 1732 NW Quimby St, Portland, Oregon.
26

1 40. **Henry Dixon M.D.** Dr. Dixon is a psychiatrist. He will testify concerning his
2 evaluation of Clyde Ray Spencer in 1985 prior to entry of his plea of guilty. Dr. Dixon's last
3 known address is in Portland, Oregon.

4 41. **Thomas Lodge.** In 1985 Mr. Lodge was a Superior Court Judge for Clark
5 County. Mr. Lodge will testify to matters concerning the entry of the plea of guilty of Clyde Ray
6 Spencer in May of 1985 and concerning post conviction proceedings brought by Mr. Spencer.
7 Mr. Lodge's last known address is 1200 Franklin Street, Vancouver, Washington.

8 B. The following is a description by category and location of documents that
9 defendant James M. Peters has in his possession and may use to support his claims and defenses
10 in this matter:

11 1. The Clark County Sheriff's Office investigative file related to the investigation of
12 Clyde Ray Spencer in 1984 and 1985 including all investigation reports.

13 2. Documents filed in Clark County Superior Court, Case No. 85-1-0007-2 including
14 the transcript of the plea of guilty entered before Judge Thomas Lodge on May 23, 1985.

15 3. Documents located in the file of the Clark County Prosecuting Attorney related to
16 the prosecution of Clyde Ray Spencer in 1984 and 1985 and post conviction proceedings pursued
17 by him.

18 4. Documents located in the file of the Vancouver, Washington Police Department in
19 regard to the internal affairs investigation concerning Clyde Ray Spencer conducted between
20 September and December of 1984 and documents related to the termination of his employment by
21 the Vancouver Police Department in January of 1985.

22 5. Documents filed with the United States District Court for the Western District of
23 Washington in Case No. C94-5238-RJB related to Clyde Ray Spencer's petition for writ of
24 habeas corpus including the transcript of all testimony in the trial before Judge Robert Bryan that
25 took place in September of 1996, the findings of fact and conclusions of law entered by Judge
26

EXHIBIT 9

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

CLYDE RAY SPENCER, et. al.,

Plaintiffs,

v.

JAMES M. PETERS, et. al.,

Defendant.

No. 3:11-cv-05424-BHS

PLAINTIFFS' FIRST SET OF
INTERROGATORIES TO
DEFENDANT SHARON KRAUSE
AND ANSWERS THERETO

Plaintiffs, by their undersigned attorneys, request that Defendant Sharon Krause answer the following Interrogatories within 30 days after service hereof.

INSTRUCTIONS AND DEFINITIONS

1. Respond to each interrogatory separately and completely.
2. For each interrogatory response, identify each person who answers and/or assists in answering, and state each such person's relationship, if any, with defendant.
3. For any interrogatory as to which an objection or claim of privilege is asserted, fully state the grounds for such objection or claim of privilege, so as to permit the adjudication of the propriety of the objection or claim of privilege. In addition, with respect to any document identified as responsive to any of these interrogatories and as to which an objection or claim of privilege is made:
 - a. State the date of the document;

PLAINTIFF'S FIRST SET OF INTERROGATORIES TO
DEFENDANT SHARON KRAUSE

(3:11-cv-05424-BHS) — 1
DWT 20424296v1 0094078-000001

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1201 Third Avenue
Seattle, WA 98101-3045
206.622.3150 main · 206.757.7700 fax

1 references to the masculine gender herein shall be deemed to include the appropriate feminine
2 and neutral genders.

3 7. The term "communication" means any exchange of information, whether in
4 writing, or on any storage medium, such as microfilm or microfiche, via electronic media or
5 orally.

6 8. The term "sexual abuse" means any type of sexual contact, including but not
7 limited to sexual abuse, sexual assault, rape, sexual penetration and sexual touching without
8 penetration.

9 INTERROGATORIES

10 **General objection:** Defendant Krause objects to plaintiffs' prefatory instructions and
11 definitions to the extent they purport to require more than the civil rules for discovery.
12 Defendant Krause neither agrees with nor stipulates to the preceding instructions and
13 definitions. Additionally, defendant Krause objects on the grounds that plaintiffs have
14 improperly served more than 25 interrogatories, including all discrete subparts, in violation of
15 FRCP 33(a)(1). After responding to the first 25 interrogatories, including all discrete subparts,
16 defendant Krause objects, as specified further below, to responding to the remaining
17 interrogatories and discrete subparts because plaintiffs have not sought or obtained leave of
18 Court to serve additional interrogatories as required by FRCP 33(a)(1). The following
19 responses are provided without waiving these general objections. All answers are provided
20 pursuant to FRCP 26(g).

21 INTERROGATORY NO. 1: Other than your lawyers, identify all persons who
22 participated in drafting answers to and answering these interrogatories.

23 ANSWER:

24 No one other than my attorney and myself.

25 INTERROGATORY NO. 2: Please identify by name and address all persons who, to
26 the best of your understanding, have knowledge of facts that relate to any of the claims or
27

PLAINTIFF'S FIRST SET OF INTERROGATORIES TO
DEFENDANT SHARON KRAUSE
(3:11-cv-05424-BHS) — 4
DWT 20424296v1 0094078-000001

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1 defenses in this action, including but not limited to all persons who are not in Defendant
2 Krause's Rule 26.1 Initial Disclosures.

3 If you answer this Interrogatory by incorporating documents created by someone other
4 than yourself (e.g. Internal Affairs documents) please list the identities of any additional
5 persons not listed in the documents, or, if there are no such additional persons with knowledge
6 responsive to the interrogatory, please state so.

7 ANSWER: See the individuals identified in all of the parties' initial disclosures and
8 supplements to initial disclosures, which are incorporated herein by reference. In addition to
9 the subjects of knowledge listed for each witness in those disclosures, all of the witnesses in the
10 Clark County, Washington area who were employed in law enforcement, criminal prosecution
11 or the judiciary are believed to have knowledge of Sharon Krause's experience and expertise in
12 conducting interviews of children who were potential victims of sexual abuse, and her honesty,
13 integrity and work ethic. I know of no other person with knowledge of facts relating to claims
14 or defenses in this case, other than the following.

15 Karen J. Gladyschild, Ph.D., 207 E. 39th Street, Vancouver, WA 98663 – Dr.
16 Gladyschild has knowledge of therapy she provided to Matt Hanson, and of a communication
17 she had with Sharon Krause to facilitate that therapy.

18 Robert Songer, 926 Glover Street, Goldendale, WA 98620 - Mr. Songer was
19 Undersheriff for the Clark County Sheriff's Office for approximately six years prior to his
20 departure in December 1990, and held the position of Chief Criminal Deputy prior to becoming
21 Undersheriff. Mr. Songer has knowledge regarding Sharon Krause's report of another Sheriff's
22 Office employee's involvement with an alleged sex offense victim to the Sheriff, as explained
23 in answer to Interrogatory No. 18 below, and has knowledge of Sharon Krause's experience
24 and expertise in conducting interviews of children who were potential victims of sexual abuse,
25 and her honesty, integrity and work ethic.

26
27 PLAINTIFF'S FIRST SET OF INTERROGATORIES TO
DEFENDANT SHARON KRAUSE

(3:11-cv-05424-BHS) — 5
DWT 20424296v1 0094078-000001

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Seattle, WA 98101-3045
206.622.3150 main 206.757.7700 fax

1 Roger Kessell, 2618 Esther, Vancouver, WA 98660 — Mr. Kessell was a detective for
 2 the Clark County Sheriff's Office assigned to investigate sexual abuse cases during the time
 3 period when Sharon Krause was also assigned such cases. Mr. Kessell has knowledge
 4 regarding Sharon Krause's report of another Sheriff's Office employee's involvement with an
 5 alleged sex offense victim to the Sheriff, as explained in answer to Interrogatory No. 18 below,
 6 and has knowledge of Sharon Krause's experience and expertise in conducting interviews of
 7 children who were potential victims of sexual abuse, and her honesty, integrity and work ethic.
 8 He also has knowledge of Michael Davidson's disclosure of his intention of dating Shirley
 9 Spencer, and of Sharon Krause's reaction to learning of this relationship.

10 INTERROGATORY NO. 3: For each person with knowledge responsive to the
 11 previous interrogatory, please describe with particularity (to the best of your understanding)
 12 any categories of facts known by each such person relating to the claims or defenses in this
 13 action, including all categories of facts about which person may be competent to testify at trial.

14 If you answer this Interrogatory by incorporating documents created by someone other
 15 than yourself please state whether (to the best of your knowledge) there are any categories of
 16 facts known to any witness relating to the claims or defenses in this action which are not
 17 reflected in the documents upon which you rely.

18 ANSWER: See answer to previous interrogatory.

19 INTERROGATORY NO. 4: State your full name, professional and residence
 20 addresses, and attach a current copy of your curriculum vitae (CV), if you have one. In the
 21 event you do not have a CV, state in detail your education by identifying schools in which you
 22 graduated and the degrees granted and dates thereof, as well as past employment history.

23 ANSWER: Sharon Ann Krause, 2185 Emerald River Ct., Ft. Mohave, AZ 86426. I
 24 retired in October of 1995, and have not been employed since that time. A copy of the last CV
 25 I prepared is provided at KRAUSE 00001 — 00008.

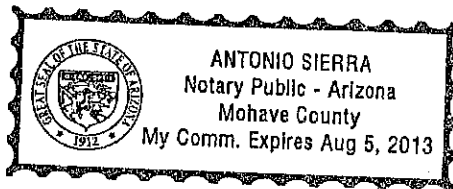
VERIFICATION

STATE OF ARIZONA)
COUNTY OF MOHAVE) ss.

Sharon Krause, being first duly sworn, on oath deposes and says that she is a defendant herein and that she has read the within and foregoing Answers to Plaintiffs' First Interrogatories to Sharon Krause, knows the contents thereof, and believes the same to be true.

Sharon Krause
Typed Name: Sharon Krause

SUBSCRIBED AND SWORN to before me this 29th day of October 2012.



Antonio Sierra
NOTARY PUBLIC in and for the State of
Arizona, residing at Bullhead City
My appointment expires August 5, 2013
Print Name ANTONIO SIERRA

CERTIFICATION

The undersigned attorney for defendant Sharon Krause has read the foregoing answers and objections to interrogatories and they are in compliance with FRCP 26(g).

ANSWERS AND OBJECTIONS dated this 26th day of October, 2012.

Davis Wright Tremaine LLP WSB#14777

EXHIBIT 10

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

CLYDE RAY SPENCER, et. al.,

Plaintiffs,

v.

JAMES M. PETERS, et. al.,

Defendant.

No. 3:11-cv-05424-BHS

PLAINTIFFS' FIRST SET OF
INTERROGATORIES TO
DEFENDANT MICHAEL
DAVIDSON

AND RESPONSES THERETO

Plaintiffs, by their undersigned attorneys, request that Defendant Michael Davidson answer the following Interrogatories within 30 days after service hereof.

INSTRUCTIONS AND DEFINITIONS

1. Respond to each interrogatory separately and completely.
2. For each interrogatory response, identify each person who answers and/or assists in answering, and state each such person's relationship, if any, with defendant.
3. For any interrogatory as to which an objection or claim of privilege is asserted, fully state the grounds for such objection or claim of privilege, so as to permit the adjudication of the propriety of the objection or claim of privilege. In addition, with respect to any document identified as responsive to any of these interrogatories and as to which an objection or claim of privilege is made:
 - a. State the date of the document;

PLAINTIFF'S FIRST SET OF INTERROGATORIES TO
DEFENDANT MICHAEL DAVIDSON
(3:11-cv-05424-BHS) — 1
DWT 20424306v1 0094078-000001

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Suite 2200 1201 Third Avenue Seattle, WA 98101-3045
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1 INTERROGATORY NO. 2: Please identify by name and address all persons who, to
2 the best of your understanding, have knowledge of facts that relate to any of the claims or
3 defenses in this action, including but not limited to all persons who are not in Defendant
4 Davidson's Rule 26.1 Initial Disclosures.

5 If you answer this Interrogatory by incorporating documents created by someone other
6 than yourself (e.g. Internal Affairs documents) please list the identities of any additional
7 persons not listed in the documents, or, if there are no such additional persons with knowledge
8 responsive to the interrogatory, please state so.

9 ANSWER: Please see the individuals identified in all current and former defendants'
10 initial disclosures and supplements to initial disclosures, as well as defendants Krause's and
11 Clark County's respective responses to plaintiffs' Interrogatory No. 2 directed to those
12 defendants, which are incorporated herein by reference. In addition, defendant Davidson
13 identifies the following:

14 Robert Songer, 926 Glover St., Goldendale, WA 98620. Mr. Songer was Undersheriff
15 for the Clark County Sheriff's office during the period of time defendant Davidson was alleged
16 to have visited with plaintiff Spencer at the jail. He will testify that the jail procedures for law
17 enforcement interviews of jail inmates were such that plaintiff Spencer's allegations about the
18 manner in which Mr. Davidson allegedly had contact with plaintiff Spencer at the jail can not
19 be true. Inmates were informed if a law enforcement officer was requesting an interview.
20 Inmates had the option to accept or decline interview requests. If inmates agreed to be
21 interviewed by law enforcement, jail staff would escort the inmate from his cell to a secure
22 interview room where the interview would be conducted in private. Mr. Songer will also
23 testify that if any complaints had been made about Mr. Davidson's alleged interactions with
24 plaintiff Spencer at the jail, he would have received any such complaints and been involved in
25 any investigation (he received no such complaints), an internal affairs investigation would have
26 occurred and there would be records of that investigation in Mr. Davidson's personnel file

27 PLAINTIFF'S FIRST SET OF INTERROGATORIES TO
DEFENDANT MICHAEL DAVIDSON
(3:11-cv-05424-BHS) — 5
DWT 20424306v1 0094078-000001

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1 (there are no such records) and plaintiff Spencer's criminal defense attorney would have been
2 notified (no such notification occurred).

3 Joe Dunegan, Clark County Sheriff's Office, 707 W. 13th St., Vancouver, WA 98660.
4 Mr. Dunegan was an employee of the Clark County Sheriff's Office assigned to the jail when
5 plaintiff Spencer was incarcerated there. He will testify visitors to the jail during that time
6 period, including law enforcement officers, had to sign a log book, remove any weapons, and
7 be screened for security purposes before being allowed to enter the jail. He will also testify
8 inmates were told who was requesting to visit them before the visit and had the right to refuse
9 to see any visitor. If inmates consented to a visit, they would then be escorted to a secure
10 visiting area to meet their visitor.

11 Bill Griffith, 13104 NE 12th Ave., Vancouver, WA 98685. Defendant Davidson lived
12 with Mr. Griffith for several months after Mr. Davidson separated from his first wife, which
13 was after plaintiff Spencer pled guilty and was sentenced to prison. He will testify that Mr.
14 Davidson did not begin living with Shirley Spencer until months after plaintiff Spencer pled
15 guilty and was sentenced to prison.

16
17 INTERROGATORY NO. 3: For each person with knowledge responsive to the
18 previous interrogatory, please describe with particularity (to the best of your understanding)
19 any categories of facts known by each such person relating to the claims or defenses in this
20 action, including all categories of facts about which person may be competent to testify at trial.

21 If you answer this Interrogatory by incorporating documents created by someone other
22 than yourself please state whether (to the best of your knowledge) there are any categories of
23 facts known to any witness relating to the claims or defenses in this action which are not
24 reflected in the documents upon which you rely.

25 ANSWER: Please see preceding response to Interrogatory No. 2.
26
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VERIFICATION

STATE OF WASHINGTON }
COUNTY OF } ss.

Michael Davidson, being first duly sworn, on oath deposes and says that he/she is the herein and that he/she has read the within and foregoing Answers to Plaintiffs' First Interrogatories to Michael Davidson, knows the contents thereof, and believes the same to be true.

Typed Name: Michael Davidson

SUBSCRIBED AND SWORN to before me this ____ day of _____, 2012.

NOTARY PUBLIC in and for the State of _____
residing at _____
My appointment expires _____
Print Name _____

CERTIFICATION

The undersigned attorney for defendant has read the foregoing answers to interrogatories and believes they are in compliance with FRCP 26(g).

ANSWERS dated this 26th day of October, 2012.


JEFF FREIMUND, WSBA #17384

PLAINTIFF'S FIRST SET OF INTERROGATORIES TO
DEFENDANT MICHAEL DAVIDSON
(3:11-cv-05424-BHS) — 18
DWT 20424306v1 0094078-000001

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EXHIBIT 11

Honorable Benjamin H. Settle

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA**

CLYDE RAY SPENCER, MATTHEW RAY
SPENCER, and KATHRYN E. TETZ,

Plaintiffs,

v.

FORMER DEPUTY PROSECUTING
ATTORNEY FOR CLARK COUNTY
JAMES M. PETERS, DETECTIVE
SHARON KRAUSE, SERGEANT
MICHAEL DAVIDSON, CLARK COUNTY
PROSECUTOR'S OFFICE, CLARK
COUNTY SHERIFF'S OFFICE, THE
COUNTY OF CLARK, SHIRLEY
SPENCER, and JOHN DOES ONE
THROUGH TEN,

Defendants.

NO. C11-5424 BHS

DEFENDANT MICHAEL
DAVIDSON'S DISCLOSURE OF
EXPERT TESTIMONY

Defendant Michael Davidson hereby discloses the following expert witnesses and
testimony pursuant to Federal Rule of Civil Procedure ("FRCP") 26(a)(2):

1. Phillip W. Esplin, Ed. D., Psychologist
7131 E. Buena Terra Way
Scottsdale, AZ 85253

Dr. Esplin will provide expert testimony on the standards of care for child sexual
abuse investigations during the relevant 1984-1985 timeframe, that defendants'

actions in the course of investigating plaintiff Clyde Ray Spencer's sexual abuse of children were within the standards of care then existing during the 1984 to 1985 time period when the investigation at issue took place, that the investigative techniques used by defendants were not so coercive and abusive that they knew or should have known during the 1984 to 1985 time period that those techniques would yield false information, and other expert testimony and opinions as set forth in Exhibit 1 attached hereto, as may be supplemented. The bases and reasons supporting Dr. Esplin's opinions, as well as the facts or data considered by him, are also summarized in Exhibit 1 attached hereto, as may be supplemented. Dr. Esplin's qualifications, including a list of publications he has authored, are attached hereto as Exhibit 2. A list of cases in which Dr. Esplin has testified as an expert witness at trial or by deposition are attached hereto as Exhibit 3. Dr. Esplin's compensation is as follows: \$400.00 per hour for office record review, evaluation and analysis of case material, consultations with defense counsel in this matter, and preparation of written reports or other material requested by defense counsel; the lesser of \$450.00 per hour, or \$4000.00 per day, plus reasonable expenses (including travel and lodging at economy class rates) for deposition and courtroom testimony.

2. Rebecca Wiester, M.D.
2008 166th Ave. SE
Bellevue, WA 98008

The opinions and other information for Dr. Wiester are provided with the expert witness disclosure of defendant Peters including Exhibits 1-A and 1-B, as may be supplemented, all of which is incorporated herein by this reference as if fully set forth.

1
2 3. Patti Toth
3 Child Abuse Training Project Manager
4 Washington State Criminal Justice Training Commission
5 19010 1st Ave. S
6 Burien, WA 98148

7 The probable cause opinions and other information for Ms. Toth are provided with
8 the expert witness disclosure of defendant Peters, as may be supplemented, all of
9 which is incorporated herein by this reference as if fully set forth.

10 4. Rebecca J. Roe, Attorney at Law
11 Schroeter Goldmark & Bender
12 500 Central Bldg.
13 810 Third Ave.
14 Seattle, WA 98104

15 Ms. Roe will provide expert testimony as follows: (1) The opinion Ms. Roe
16 provided in her November 27, 1984 report was simply the opinion of one deputy
17 prosecuting attorney that the case as it stood at that time should not charged. That is
18 not to be taken as proof of innocence on the part of Ray Spencer; (2) If another
19 prosecuting attorney elected to file charges of statutory rape against Ray Spencer as
20 of November 27, 1984, there was probable cause to support the filing of criminal
21 charges at that time; (3) After the interview of Matthew Hansen on February 28,
22 1985 there was probable cause to arrest Ray Spencer and charge him with statutory
23 rape of Matthew Hansen, Kathryn Spencer and Matthew Spencer; (4) The
24 prosecutor's use of anatomically correct dolls in his interview of Kathryn Spencer to
25 determine her competency to testify in late 1984 and early 1985 met the standard of
26 care then in effect; (5) The prosecuting attorney properly relied on the interviews
conducted by Detective Krause when making charging decisions regarding Ray

1 Spencer. Ms. Roe's opinions are based on her involvement in the prosecution of
2 Ray Spencer in 1984, her review of the law enforcement reports concerning the
3 investigation of Ray Spencer that occurred from August 1984 through approximately
4 April 1985, and all charging documents in the prosecution of Ray Spencer. This
5 disclosure may be supplemented. Ms. Roe's qualifications are summarized in
6 Exhibit 4 attached hereto. Ms. Roe's compensation is \$300.00 per hour.
7

8 Defendant Davidson reserves the right to supplement or amend this disclosure as more
9 information becomes available through the course of discovery and further investigation.
10 Defendant Davidson also reserves the right to disclose rebuttal experts following plaintiffs'
11 disclosure of their expert witnesses, if any.

12 DATED this 9th day of October, 2012.

13
14 s/ Jeffrey A. O. Freimund
15 JEFFREY A. O. FREIMUND, WSBA No. 17384
16 Freimund Jackson Tardif & Benedict Garratt, PLLC
17 711 Capitol Way South, Suite 602
18 Olympia, WA 98502
19 Telephone: (360) 534-9960
20 Fax: (360) 534-9959
21 jeffF@fjtlaw.com
22 Attorney for Defendant Michael Davidson
23
24
25
26

CERTIFICATE OF SERVICE

I hereby certify that on October 9, 2012, I caused to be served Defendant Davidson's

Disclosure of Expert Testimony on the attorneys of record for the parties as follows:

Douglas H. Johnson, Attorney Pro Hac Vice for Plaintiffs Clyde Ray Spencer,
Matthew Ray Spencer, and Kathryn E. Tetz
dhjohnson43@aol.com

Kathleen T. Zellner, Attorney Pro Hac Vice for Plaintiffs Clyde Ray Spencer,
Matthew Ray Spencer, and Kathryn E. Tetz
kathleen.zellner@gmail.com

Daniel T. Davies, Attorney for Plaintiffs Clyde Ray Spencer, Matthew Ray Spencer,
and Kathryn E. Tetz
dandavies@dwt.com

Daniel J. Judge, Attorney for Defendant James M. Peters
danielj@atg.wa.gov

Patricia C. Fetterly, Attorney for Defendant James M. Peters
Patriciafl@atg.wa.gov

Bernard F. Veljacic, Attorney for Defendants Clark County Prosecutor's Office; Clark
County Sheriff's Office, & Clark County
Bernard.Veljacic@clark.wa.gov

William H. Dunn, Attorney for Defendant Shirley Spencer
dunnwh@pacifier.com

Gary Western, Attorney for Defendant Shirley Spencer
western@wsed.com

Guy Bogdanovich, Attorney for Defendant Sharon Krause
gbogdanovich@lldkb.com

s/Janice Flaherty
JANICE FLAHERTY
Legal Assistant to
JEFFREY A. O. FREIMUND, WSBA No. 17384
Freimund Jackson Tardif & Benedict Garratt, PLLC
711 Capitol Way South, Suite 602
Olympia, WA 98502
Telephone: (360) 534-9960
Fax: (360) 534-9959
jeffF@fjtlaw.com
Attorney for Defendant Michael Davidson

EXHIBIT 12

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT TACOMA

CLYDE RAY SPENCER, MATTHEW)
RAY SPENCER, and KATHRYN E.)
TETZ,)

Plaintiffs,)

vs.)

NO. 3:11-cv-05424-BHS

FORMER PROSECUTING ATTORNEY)
FOR CLARK COUNTY JAMES M.)
PETERS, DETECTIVE SHARON)
KRAUSE, SERGEANT MICHAEL)
DAVIDSON, CLARK COUNTY)
PROSECUTOR'S OFFICE, CLARK)
COUNTY SHERIFF'S OFFICE, THE)
COUNTY OF CLARK and JOHN DOES)
ONE THROUGH TEN,)

Defendants.)

DEPOSITION UPON ORAL EXAMINATION OF SHARON KRAUSE

Tuesday, November 6, 2012
Olympia, Washington

1 APPEARANCES:

2 FOR THE PLAINTIFF CLYDE RAY SPENCER
3 (VIA VIDEOCONFERENCE):

4 ~~MS. KATHLEEN ZELLNER~~
MR. DOUGLAS JOHNSON
5 KATHLEEN T. ZELLNER & ASSOC.
Esplanade IV
6 1901 Butterfield Rd., Ste. 650
Downers Grove, IL 60515

7 FOR DEFENDANT JAMES M. PETERS:

8 MS. PATRICIA FETTERLY
9 ASSISTANT ATTORNEY GENERAL
P.O. Box 40126
10 Olympia, WA 98504-0126

11 FOR DEFENDANT DETECTIVE SHARON KRAUSE:

12 MR. GUY BOGDANOVICH
LAW, LYMAN, DANIEL
13 KAMERRER & BOGDANOVICH, P.S.
P.O. BOX 11880
14 Olympia, WA 98508-1880

15 FOR DEFENDANT SERGEANT MICHAEL DAVIDSON:

16 MR. JEFFREY A.O. FREIMUND
FREIMUND JACKSON TARDIF &
17 BENEDICT GARRATT, PLLC
711 Capitol Way South, Ste. 602
18 Olympia, WA 98501
19
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I N D E X

EXAMINATION	PAGE/LINE
MS. ZELLNER	7 16

MR. FREIMUND	195 1
MS. ZELLNER	197 8
MR. FREIMUND	201 7
MS. ZELLNER	201 13

I N D E X E X H I B I T

EXHIBIT NO.	DESCRIPTION	PAGE/LINE
NO. 1	Clark County Sheriff's Index, 8/30/84; 2 pgs.	9 19
NO. 2	Clark County Sheriff's Index, 11/8/84; 2 pgs.	14 10
NO. 3	R. Stephenson Report of Interview with Ray and Shirley Spencer (Shirley's Handwritten Statement Attached); 9 pgs.	18 16
NO. 4	Detective Flood Report Re Interview with Ray, Shirley, Katie, Matt & DeAnne; 10 pgs.	26 3
NO. 5	Detective Flood Report - "All Investigation and Medical Findings sent to Clark County"; 1 pg.	32 21
NO. 6	Rebecca Roe Report Re Declination of Case by King County; 3 pgs.	34 4
NO. 7	Krause Report Re Receipt of Release Allowing Clark County to Send Information to Anne Link (with release attached); 1 pg.	36 18

Page 4			Page 6		
1	EXHIBIT NO.	DESCRIPTION	PAGE/LINE	1	EXHIBIT NO. DESCRIPTION PAGE/LINE
2				2	NO. 34 Krause Deposition, 5/22/96; 72 pgs. 169 2
3	NO. 8	Krause Report Re Report of Medical Exam of Katie Spencer; Katie Spencer's Medical Exam Report; Matt Hansen's Medical Exam Report; 8 pgs.	37 10	3	
4				4	NO. 35 Shirley Spencer Deposition, 6/4/96; 18 pgs. 7 7
5				5	NO. 36 Shirley Spencer Evidence Deposition, 8/30/96; 27 pgs. 7 7
6	NO. 9	Krause Report Re Summary of Contacts with Ray Spencer; 14 pgs.	38 19	6	
7	NO. 10	Krause Report Re Interview of Karen Stone; 7 pgs.	62 22	7	NO. 37 Krause Federal Habeas Hearing Transcript; 31 pgs. 7 7
8				8	NO. 38 Reference Hearing Transcripts During Hearing on Spencer's PRP; 28 pgs. 7 7
9	NO. 11	Krause Report Re Interview of Katie Spencer (Interview #1); 15 pgs.	69 6	9	
10				10	NO. 39 Tim Hammond Interview of Sharon Krause; 9 pgs. 7 7
11	NO. 12	Krause Report Re Interview of Phyllis Day; 3 pgs.	148 20	11	
12	NO. 13	Krause Report Re Interview of Kathryn Roe; 4 pgs.	149 3	12	NO. 40 Tim Hammond Interview of Shirley Spencer; 11 pgs. 7 7
13				13	NO. 41 Tim Hammond Interview of DeAnne Spencer; 15 pgs. 7 7
14	NO. 14	Krause Report Re Interview of Matt Spencer (Interview #1); 11 pgs.	135 24	14	
15	NO. 15	Krause Report Re Interview of Linda Lawrence; 5 pgs.	151 11	15	NO. 42 Tim Hammond Interview of Michael Davidson; 7 pgs. 7 7
16				16	NO. 43 Krause's Answers to Plaintiffs Interrogatories; 22 pgs. 7 7
17	NO. 16	Krause Report Re Interview of DeAnne Spencer; 22 pgs.	151 11	17	
18	NO. 17	Krause Report Re Interview of Katie Spencer (Interview #2); 12 pgs.	142 10	18	NO. 44A Krause Document Production (KRAUSE 1-399) 7 7
19				19	NO. 44B Krause Document Production (KRAUSE 400-793) 7 7
20	NO. 18	Krause Report Re Interview of Shirley Spencer Re Domestic Disturbance; 8 pgs.	152 4	20	
21				21	
22	NO. 19	Krause Report Re Interview of Shirley Spencer and Matt Hansen (Interview #1); 24 pgs.	7 7	22	
23				23	
24				24	
25				25	
Page 5			Page 7		
1	EXHIBIT NO.	DESCRIPTION	PAGE/LINE	1	BE IT REMEMBERED that on Tuesday, November 6,
2	NO. 20	Krause Report Re Matt Hansen & Arrest/Warrant; Arrest & Warrant Documents (with Peters Affidavit); 13 pgs.	159 9	2	2012, at 9:04 a.m. at 2102 Carriage Drive SW, Building C,
3				3	Olympia, Washington, before DIXIE J. CATTELL, Certified
4				4	Court Reporter, appeared SHARON KRAUSE, the witness herein;
5	NO. 21	Krause Report Re Interview of Matt Hansen (Interview #2); 6 pgs.	159 17	5	WHEREUPON, the following proceedings were had,
6	NO. 22	Krause Report Re Interview of Matt Hansen (Interview #3) & Shirley Spencer; 9 pgs.	159 1	6	to wit:
7				7	(EXHIBIT NOS. 1-44A & B MARKED)
8	NO. 23	Krause Report Re Interview of Matt Spencer (Interview #2); 14 pgs.	160 11	8	
9				9	SHARON KRAUSE, having been first duly sworn by
10	NO. 24	Krause Report Re Interview of Katie Spencer (Interview #3); 6 pgs.	160 22	10	the Notary, testified as follows:
11				11	
12	NO. 25	Krause Report Re Polygraph of DeAnne Spencer (with report of polygraph attached); 4 pgs.	162 12	12	MS. ZELLNER: Let the record reflect this is the
13				13	deposition of Sharon Krause taken pursuant to notice and
14	NO. 26	Complaint for Arrest Warrant; 5 pgs.	162 15	14	continued to today's date by agreement of the parties.
15	NO. 27	Ray Spencer Change of Plea Transcript; 66 pgs.	164 8	15	EXAMINATION
16				16	BY MS. ZELLNER:
17	NO. 28	Stanley Abrams' Letter to Davidson Re Polygraph Examinations; 1 pg.	165 5	17	Q Ms. Krause, would you state your full name and spell your
18	NO. 29	Vancouver PD: Correspondence from Cpt. King to Chief Davis, 9/4/84; 3 pgs.	166 2	18	last name.
19				19	A Sharon Krause, K-R-A-U-S-E.
20	NO. 30	Vancouver PD Correspondence from Cpt. King to Chief Davis, 9/12/84; 3 pgs.	166 13	20	MS. ZELLNER: I would ask today that we put
21				21	everyone in the room's name on the record. I can start
22	NO. 31	Ray Spencer Declaration; 11 pgs.	167 8	22	with us.
23	NO. 32	Lee Coleman Report to Parole Board; 6 pgs.	167 15	23	I'm Kathleen Zellner. I represent the plaintiff, Ray
24				24	Spencer.
25	NO. 33	Affidavit of Peter Camick; 4 pgs.	7 7	25	MR. JOHNSON: My name is Doug Johnson. I

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<p>1 Q Matthew also stated that he had not been touched in any way</p> <p>2 and no one had made any advances towards him, correct?</p> <p>3 A Correct. That's what it states.</p> <p>4 Q Correct. And then Matthew also indicated that "his sister</p> <p>5 had not told him anything about this in the past, but</p> <p>6 indicated that she does tell stories and change her stories</p> <p>7 a lot. That's usually to get out of trouble." That's what</p> <p>8 it says, correct?</p> <p>9 A Correct.</p> <p>10 Q Now, is it your understanding that Detective Flood, after</p> <p>11 doing these interviews, did not proceed to recommend that</p> <p>12 Ray Spencer be charged with any crime?</p> <p>13 A Can you ask me that again, please?</p> <p>14 Q Sure. There were no charges brought against Ray Spencer in</p> <p>15 California, am I correct?</p> <p>16 A That's correct, as far as I know there weren't. Not</p> <p>17 specifically relating to this, there weren't.</p> <p>18 Q You don't know of any charges related to the children that</p> <p>19 were brought against Ray Spencer in California, am I right?</p> <p>20 A No, I don't.</p> <p>21 Q Okay. Let's go to Exhibit 5, and I'd ask you if you could</p> <p>22 identify Exhibit 5 for the record, if you've seen this</p> <p>23 document before.</p> <p>24 A I -- I reviewed it in these reports. I don't recall having</p> <p>25 seen it before. I mean, I have no independent recollection</p>	<p>1 wouldn't have been in my file. And there's also</p> <p>2 information, I think in one of my reports, where I</p> <p>3 documented that I had received them.</p> <p>4 Q Let's look at Exhibit 6. Again, this is a handwritten</p> <p>5 report from the King County Prosecuting Attorney's Office.</p> <p>6 Had you, during the course of the investigation, received</p> <p>7 this three-page handwritten report in Plaintiff's</p> <p>8 Exhibit 6?</p> <p>9 A I have no recollection, independent recollection, about</p> <p>10 this report, nor do I recall receiving it.</p> <p>11 Q Do you recall ever discussing with anyone during the</p> <p>12 Spencer case the findings of this Prosecutor Roe in her</p> <p>13 report?</p> <p>14 A I have some memory of discussing this, and I don't remember</p> <p>15 if it was with Jim Peters or Art Curtis or both. I knew</p> <p>16 who Becky Roe was because I did training at the police</p> <p>17 academy and I met her there, so I knew who she was, and I</p> <p>18 remember that. And I also recall that I had -- this wasn't</p> <p>19 my request that she review that. It went from the</p> <p>20 prosecutor's office. So, you know, I was aware of that.</p> <p>21 But other than that, as far as specifics, I have no</p> <p>22 independent recollection, nor do I recall if I ever saw</p> <p>23 this.</p> <p>24 Q Okay. And when -- we were talking about this yesterday, so</p> <p>25 on Bates stamp 227, on that first page of the report, at</p>
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<p>1 that I saw it before.</p> <p>2 Q Okay. It indicates on Exhibit 5 that "All investigation</p> <p>3 and medical findings sent to Clark County Sheriff's office,</p> <p>4 Vancouver, Washington." Am I reading that correctly?</p> <p>5 A That's the way I read it also.</p> <p>6 Q All right. And that also indicates that the officer on</p> <p>7 this report is Officer Flood, down in the corner, on the</p> <p>8 left corner?</p> <p>9 A Yes.</p> <p>10 Q Now, did you receive the medical report of Katie Spencer's</p> <p>11 medical exam from Detective or, actually, from that</p> <p>12 Sheriff's Department in Sacramento?</p> <p>13 A At some point I received it, because it was in that index</p> <p>14 and in my file. I don't recall if I received it from Flood</p> <p>15 or if I received it from the hospital --</p> <p>16 Q Okay.</p> <p>17 A -- or the physician.</p> <p>18 Q Because that -- I'm sorry. I cut you off.</p> <p>19 A I don't recall or know if I received it from Flood or if I</p> <p>20 received it from the examining physician or their office.</p> <p>21 Q But you do have a distinct recollection of receiving the</p> <p>22 medical report of the examination done on Kathryn Spencer</p> <p>23 during the investigation of Ray Spencer?</p> <p>24 A I don't have any independent recollection. Based on what's</p> <p>25 in all these reports, you know, I had to have or it</p>	<p>1 the top it's filled out, it says "Suspect: Clyde Ray</p> <p>2 Spencer; Referred Crime: Officer Sharon Krause, Clark</p> <p>3 County Sheriff." Did you provide that information to</p> <p>4 Prosecutor Roe to fill out this report, or do you think</p> <p>5 someone else did, because she apparently knew you were</p> <p>6 assigned to the case, so that's why I wondered if you know</p> <p>7 how that information got to Prosecutor Roe?</p> <p>8 A It wasn't from me. And it says: Referred Crime SR</p> <p>9 something and 1 or a 10, and then it says Officer Sharon</p> <p>10 Krause and Agency and the Case Number, but it wasn't</p> <p>11 anything that I provided her with or sent up to her. This</p> <p>12 was done independent of me.</p> <p>13 Q Okay. So that -- so you didn't provide her with any of the</p> <p>14 information contained in the report. Would that be a fair</p> <p>15 statement?</p> <p>16 A Not directly. If she had my reports, in that respect --</p> <p>17 Q I understand that --</p> <p>18 A -- but yeah.</p> <p>19 Q -- but I'm just trying to establish if you remember if</p> <p>20 there was direct contact between you and Prosecutor Roe</p> <p>21 prior to her writing this report, and I believe what you're</p> <p>22 saying is there wasn't?</p> <p>23 A I don't recall there was. If there was, I'm not</p> <p>24 remembering that.</p> <p>25 Q Okay. And then did the prosecutor's office, either</p>

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<p>1 Mr. Peters or Mr. Curtis, inform you at some point that</p> <p>2 they had asked Rebecca Roe to review the case?</p> <p>3 A I think I already stated that I have some independent</p> <p>4 memory because I knew who she was and I remember the name,</p> <p>5 and that it -- they sent some information to her to be</p> <p>6 reviewed, but I don't know whether I got that from Art</p> <p>7 Curtis, from Jim Peters or both of them.</p> <p>8 Q Okay. And when you say "they sent," are you saying that it</p> <p>9 was the prosecutor that communicated with Rebecca Roe? I'm</p> <p>10 just trying to clarify that. It wasn't you, so was it the</p> <p>11 prosecutor?</p> <p>12 A It wasn't me.</p> <p>13 Q Was it the prosecutors?</p> <p>14 A I don't know. I'm assuming it was, but I have no -- I</p> <p>15 don't know.</p> <p>16 Q Well, it wasn't Mr. Davidson, was it?</p> <p>17 A Oh, no.</p> <p>18 Q All right. Then if we look at Exhibit 7, do you recognize</p> <p>19 this two-page document?</p> <p>20 A I recognize the first page as my work product.</p> <p>21 Q Okay.</p> <p>22 MR. BOGDANOVICH: Our --</p> <p>23 A That's all I have.</p> <p>24 MR. BOGDANOVICH: Our copies only have one page</p> <p>25 for Exhibit 7, not two.</p>	<p>1 story. . .</p> <p>2 Q Right.</p> <p>3 A I can't even --</p> <p>4 Q Well, actually, the child -- I think it indicates up above</p> <p>5 in the handwritten notes that the child didn't provide any</p> <p>6 information during the exam. I'm just trying to confirm</p> <p>7 with you that --</p> <p>8 A It's hard --</p> <p>9 Q -- that there were no physical findings.</p> <p>10 A No. It doesn't -- it does indicate that she didn't -- she</p> <p>11 refused to talk and answer questions during the exam and</p> <p>12 also no physical findings. And I'm assuming, based on this</p> <p>13 report, what the doctor is saying, that she was focusing on</p> <p>14 the sexual molestation or those allegations.</p> <p>15 Q Okay. So, now, if we get to Exhibit 9 -- is your voice</p> <p>16 holding up okay, or do you want to take a little break --</p> <p>17 A No, I have some water. I'm okay.</p> <p>18 Q -- and get some water. Are you okay? All right.</p> <p>19 Let's go to Exhibit 9, which is a 12-page report.</p> <p>20 Could you identify Exhibit 9 for the record?</p> <p>21 A It's a report that I dictated. It indicates -- it contains</p> <p>22 suspect contact information and interview with wife and</p> <p>23 suspect, and it was at various times.</p> <p>24 Q Now, as of the beginning of this report, when you meet --</p> <p>25 or you received that phone call, and I'm on page 2 of 12,</p>
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<p>1 Q (By Ms. Zellner) I have the DeAnne Spencer handwritten</p> <p>2 note just giving you permission to release information, but</p> <p>3 my questions are just on the first page. So was this</p> <p>4 document -- it says it was typed by you. Is that correct?</p> <p>5 A I'm sure it probably was.</p> <p>6 Q And you had gotten a release of information so that Kathryn</p> <p>7 Spencer's therapist could receive information; is that</p> <p>8 correct?</p> <p>9 A That's what it indicates, yes.</p> <p>10 Q And then on Exhibit 8, do you recognize Exhibit 8 as a</p> <p>11 document that you prepared?</p> <p>12 A It appears that I prepared that utility face sheet, yes.</p> <p>13 Q Okay. And does that utility face sheet, does that -- is</p> <p>14 that the document that confirms for you that you had a</p> <p>15 medical report on Kathryn Spencer from the University of</p> <p>16 California Davis Medical Center?</p> <p>17 A That's what it indicates, yes.</p> <p>18 Q And that medical examination of Kathryn Spencer did not</p> <p>19 reveal any evidence of any physical injury; is that</p> <p>20 correct?</p> <p>21 A Any evidence of physical injury? On her whole body?</p> <p>22 Q Well, it says, "No physical findings," on page 279,</p> <p>23 Diagnostic Conclusion, there were no physical findings,</p> <p>24 correct?</p> <p>25 A Reference the history of molestation. Diagnostic, Child's</p>	<p>1 Bates stamp 31, the report indicates that your first</p> <p>2 contact on 8/29 is with Ray Spencer himself, correct?</p> <p>3 Page 2 of 12.</p> <p>4 A Phone contact? Correct.</p> <p>5 Q Yeah. So your first contact on the case with any witnesses</p> <p>6 or suspects was on 8/29?</p> <p>7 A I had contact with him then. Can I review one thing?</p> <p>8 Q Was it prior -- yes, sure. Go ahead.</p> <p>9 A Stephenson's report. That was the day after, it appears.</p> <p>10 I can't even read the date on Stephenson's report. 8/30.</p> <p>11 So it would have been the first contact I had was with Ray</p> <p>12 Spencer on the telephone.</p> <p>13 Q And you would agree that -- well, let me ask you, when Ray</p> <p>14 Spencer called in, did he appear to be concerned about the</p> <p>15 allegations that had been made by his daughter?</p> <p>16 A I would say that he was concerned or he wouldn't have</p> <p>17 called me.</p> <p>18 Q And he wasn't at that point a suspect, was he?</p> <p>19 A When it was initially reported. . . I think he indicates</p> <p>20 his five-year-old daughter is living in California,</p> <p>21 reported -- makes statements to his wife, indicating that</p> <p>22 he had some sexual contact with her. He wasn't -- in</p> <p>23 general terms, I suppose he was a suspect, based on the</p> <p>24 information he gave me.</p> <p>25 Q Okay. Kathryn, though, according to this report of yours,</p>